

Message Text

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PAGE 01 LILONG 00766 201605Z
ACTION DHA-02

INFO OCT-01 AF-10 EUR-12 NEA-10 ISO-00 IO-13 CIAE-00
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R 201345Z MAY 77
FM AMEMBASSY LILONGWE
TO SECSTATE WASHDC 903
INFO AMEMBASSY LONDON
AMEMBASSY LUSAKA
AMEMBASSY NAIROBI
AMCONSUL PESHAWAR

C O N F I D E N T I A L LILONGWE 0766

E.O. 11652: GDS
TAGS: SHUM, PINS, PFOR, MI, US
SUBJECT: MEETING WITH PRESIDENT BANDA AND FUNSANI CASE

REF: A. LILONGWE 0743; B. STATE 114897

1. MY PRIMARY PURPOSE IN SEEKING MEETING WITH BANDA WAS TO SEE IF I COULD RESOLVE FUNSANI CASE PRIOR TO PRESIDENT'S DEPARTURE FOR LONDON AND PRIOR MY RETURN FOR CONSULTATION. ENROUTE BY CAR TO BLANTYRE I HAD DECIDED TACTICALLY THAT FIRMS DEMARCHE ALONG LINES ORIGINALLY ENVISIONED MIGHT HAVE COUNTERPRODUCTIVE EFFECT RE FUNSANI RELEASE AS SUGGESTED REFTEL B.

2. AFTER GENERALLY CORDIAL 45-MINUTE CONVERSATION WITH BANDA , (IN WHICH HE EXPRESSED GREAT APPRECIATION THAT I HAD VOLUNTEERED TO BRIEF HIM REGARDING ABIDJAN MEETING AND HAD SOUGHT HIS VIEWS RE SOUTHERN AFRICAN DEVELOPMENTS) BUT WITH SOME COOLER MOMENTS RE HUMAN RIGHTS IN GENERAL AND FUNSANI'S CASE IN PARTICULAR, BANDA OFFERED AS "A PERSONAL FAVOR TO ME" TO RELEASE FUNSANI IF WE WOULD GET HIM OUT OF COUNTRY. I TRIED ONE DEMURRAL STRESSING THAT FROM
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REVIEW OF FACTS AS WE HAVE THEM, FUNSANI DOES NOT APPEAR GUILTY OF ANY OFFENSE AND REPEATED MY HOPE HE WOULD BE RELEASED AND ALLOWED TO RESUME HIS POSITION. HE STATED THAT UNDER NO CIRCUMSTANCES WOULD HE RELEASE FUNSANI AND ALLOW HIM TO STAY IN MALAWI AND "TELL EVERYONE HE WAS RELEASED BECAUSE THE AMERICAN GOVERNMENT PUT PRESSURE ON THE MALAWI GOVERNMENT". NOR WOULD HE ACCEPT FOR A MOMENT, HE SAID, ANY SUGGESTION THAT ECONOMIC

ASSISTANCE FOR MALAWI MIGHT DEPEND ON THIS CASE OR ANY OTHER HUMAN RIGHTS QUESTION. THESE ARE INTERNAL MALAWIAN MATTERS AND IF U.S. ASSISTANCE SHOULD BE CONTINGENT UPON MALAWI ACTIONS IN THIS AREA "YOU CAN KEEP IT -- WE CAN GET WHAT WE NEED FROM OTHERS."

3. NOTING FAMILIAR DANGER SIGNALS THAT BANDA WAS GETTING QUITE ANGRY, I DECIDED GETTING FUNSANI OUT OF JAIL WAS MORE IMPORTANT THAN PRINCIPLE AND RELUCTANTLY AGREED WE WOULD TRANSFER HIM ELSEWHERE MENTIONING TO PRESIDENT THAT I KNEW FUNSANI HAD PLANNED TO LEAVE MALAWI FOR GRADUATE STUDY IN THE U.S. THIS FALL. BANDA SAID "FINE, BUT ONCE OUT HE MUST LEAVE SOOFG AA SEND HIM ANYWHERE, I DON'T CARE". HE SAID HE COULD NOT GIVE ME AN EXACT TIME FOR FUNSANI'S RELEASE BUT WOULD GET ACTION STARTED TO EFFECT IT.

4. COMMENT: ALTHOUGH I HAD HOPED MY STRONG APPEAL WOULD BRING THE RESULT WE ALL WANTED, I THINK FOR FUNSANI'S SAKE WE ARE PROBABLY FORTUNATE TO ACHIEVE THIS OUTCOME. HAVE REVIEWED MATTER WITH HORACE DAWSON WHO HERE ON VISIT AND HE WILL CONSIDER WHAT USIA MIGHT BE ABLE TO DO ON WASHINGTON END. FUNSANI HAS FUNDS WHICH WOULD PERMIT HIM TO TRAVEL TO LUSAKA OR NAIROBI IF HE MUST LEAVE WITHIN A SHORT TIME. EMBASSY WILL OF COURSE ASK FOR RECONSIDERATION IF

TIME FRAME GIVEN IS UNREALISTIC. FROM BANDA'S REMARKS IT WAS CLEAR TO ME HE HAD BEEN BRIEFED ON FUNSANI CASE BY POLICE COMMISSIONER AND WE, OF COURSE, DO NOT KNOW WHAT HE WAS TOLD. HE MADE NO REFERENCES OR COMMENTS TO FACTS OF CASE AS I DESCRIBED THEM.

5. EXPECT TO BE IN DEPARTMENT ON JUNE 3 AND WILL WISH TO
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REVIEW SUBJECT AT THAT TIME. WOULD OBSERVE THAT STEMMING FROM THIS CONVERSATION I HAVE DOUBTS THAT OPTIONS PRESENTED OUR PART ARE NOW FEASIBLE. ALSO WOULD NOTE, DESPITE FUNSANI CASE, DE FACTO SITUATION RE HUMAN RIGHTS HAS IMPROVED MARKEDLY IN ANY CASE. BASED ON CERTAIN DEDUCTIONS, THE NUMBER OF POLITICAL DETAINEES MAY NOW BE QUITE SMALL. WE EXPECT TO BE ABLE TO DOUBLE CHECK THIS POINT SOON. WILL WISH DISCUSS POSSIBILITY PERSUADING BRITISH GOVERNMENT AT LEAST TO MENTION TO BANDA IN LONDON THAT IT HAD BEEN GREATLY CONCERNED RE DETENTIONS WITHOUT CHARGE AND GRATIFIED TO NOTE CHANGES IN THIS AREA.
STEVENSON

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